

**FILED**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

MAY 21 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: STATE OF OREGON,

No. 23-70127

STATE OF OREGON,

D.C. No. 6:20-cv-00570-SB  
District of Oregon,  
Eugene

Petitioner,

ORDER

v.

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF OREGON, EUGENE,

Respondent,

PAUL JULIAN MANEY; et al.,

Plaintiffs-  
Real Parties in Interest,

PATRICK ALLEN,

Defendant-  
Real Party in Interest.

Before: McKEOWN and GOULD, Circuit Judges, and BAKER,\* International Trade Judge.

Petitioner's motion to vacate this court's disposition and dismiss the petition for writ of mandamus as moot (Dkt. 26 and, as amended, Dkt. 27) is GRANTED.

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\* The Honorable M. Miller Baker, International Trade Judge for the United States Court of International Trade, sitting by designation.

This court's memorandum disposition filed January 9, 2024, is vacated, and the petition for writ of mandamus is dismissed as moot.

Petitioner filed a petition for panel rehearing and rehearing *en banc*. The panel voted to deny the petition for panel rehearing. Judge Gould voted to deny the petition for rehearing *en banc*, and Judges McKeown and Baker so recommended. The full court has been advised of the petition for rehearing *en banc* and no judge has requested a vote on whether to rehear the matter *en banc*. Fed. R. App. P. 35. The petition for panel rehearing and the petition for rehearing *en banc* (Dkt. 16) is DENIED.